



NOAA
FISHERIES

Highly
Migratory
Species

HMS Advisory Panel: Priorities and Next Steps



April 4, 2014
Silver Spring, Maryland

Comments from Overview

- Shark Conservation Act: Status of the List of Nations that aren't complying:
 - ID process is biannual (last Jan 2013)
 - Currently seeking public comment on nations that are IUU fishing (by end of May, although may be extended)
 - Decision will be published in Jan 2015
- Port state measures rule later this fall. eBCD proposed rule expected at end of May (a combo rule), if need to go final earlier, then we can
- Recreational landings concern: substantial underreporting of swordfish and billfishes, especially in SE Florida
- Caribbean Council would like to open closed areas in W. Puerto Rico to pelagic fishing

NMFS Protected Resources and CITES Updates

ESA Listings Update

- Scalloped Hammerhead – Final Determination deadline April 2014
- Great Hammerhead – Status Review & 12-month finding underway
- Dusky Shark – Status Review & 12-month finding underway

Endangered Species Act **take** definition: "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct."

CITES Update: Sharks added at CoP16 to Appendix II

- Scalloped, Great, and Smooth Hammerheads
- Porbeagle
- Oceanic Whitetip

FWS Import/Export Permits Website: <http://www.fws.gov/international/>

USCG and NMFS Enforcement Updates



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Offices

Enforcement Administrative Decisions

Frequently Asked Questions

Penalty Policy and Schedules

Procedural Regulations

Enforcement Charging Information

Request for comments on the
Administrative Penalties and P

Enforcement Section

The **Enforcement Section** coordinates a Counsel's delegated authority as NOAA's

The Office prosecutes civil penalty cases, administrative forfeitures; provides support and assistance in prosecution of law enforcement cases; formulates NOAA's position in such cases; develops enforcement policy in conjunction with the Department of Justice and NOAA program offices; provides legal advice to Law Enforcement and other NOAA offices; manages Sustainable Fisheries, the Office of Protected Resources, National Marine Sanctuaries; and advises on enforcement cases and general enforcement policy.

Website for General Counsel Penalty Policy

<http://www.gc.noaa.gov/enforce-office.html>

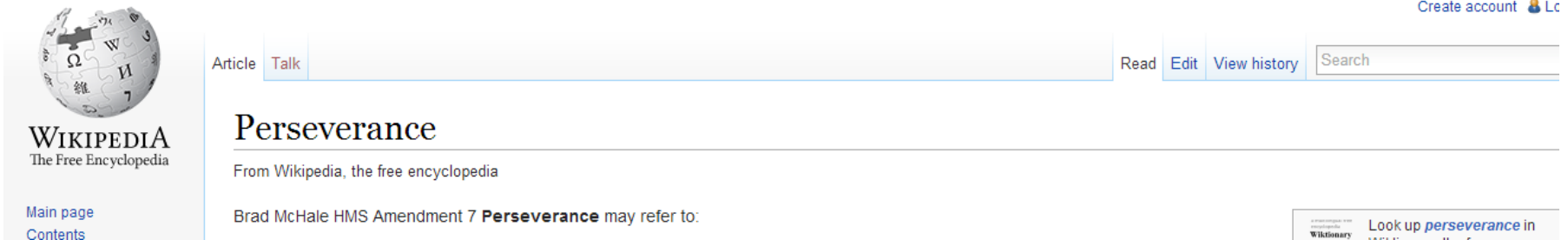
- AP expressed concern about unintentional noncompliance



HMS Essential Fish Habitat 5-Year Review

- The NEFMC Omnibus EFH amendment includes an area of Stellwagen Banks where mobile bottom tending gear, sink gillnets, and demersal longlines may be prohibited year round; mid-water and pelagic gears would be permitted.
- The AP has significant concerns about Stellwagen Banks Sanctuary management and potential impacts on HMS fisheries in the area.
 - HMS Division staff will review the Sanctuary Act and Magnuson-Stevens Act connections to better understand these concerns.
- EFH is about ecosystem impacts. How do HMS predators impact other species?
- Questions about the level of effort HMS needs to put into an EFH revision.
 - HMS is completing a 5-Year Review to determine whether an Amendment is necessary.
- Questions about who we have reached out to at this stage. Is NMFS considering alternative energy development?
 - NMFS will reach out to other agencies during the course of EFH revisions (e.g., BOEMRE).

Amendment 7: Comment Summary



- Don't rush implementation (make sure get it right)
 - Do/don't reallocate quota among categories
 - Split into 7A & 7B/don't split because the whole package is what makes it work
 - Recognize importance of PLL fishery for the directed species fisheries
 - Recognize DD in all fisheries - enhance monitoring/reporting for all groups
 - Consider cumulative impact of measures (given condition of other fisheries)
 - Consider that GRAs may miss hot spots
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- Re: General category flexibility, consider moving December subquota to January; consider 12-month fishery

Bluefin Tuna Quota Specifications

- Some support for full accounting of catch within quota.
- Some continued concern about the NED quota, i.e., that the quota for the management boundary area should have been from EBFT quota.
- Given that school BFT landings have been within ICCAT limit for last several years, it may be the appropriate time to increase school BFT daily retention limit. It would go a long way to agency's efforts to reach out to/work with the recreational fishing community.
- Question about the appropriate venue for discussion of Mexican SCRS paper re: characterization of the Mexico BFT incidental fishery. Desire for engagement of Mexican scientists and managers re: Gulf of Mexico activities. (IAC?)

Public Comment: Day 1



- Question about Individual Vessel Identifiers - a unique persistent identifier applicable to commercial vessels > 20 m; no cost

HMS Research Plan

- Discussion about the utility of a separate advisory group similar to the Fishery Management Councils' Scientific and Statistical Committees, allowing for participation of experts outside of the agency.
 - Recognize there is a difference between what is discussed by the AP, and the depth / scope that can be covered by an SSC-type committee or working group.
- Would like more participation and input into the development of the HMS Research Plan
- Would like more funding opportunities for HMS in existing programs (e.g., MARFIN)
- Non-agency scientists can provide feedback on the feasibility of research goals (time and cost)
- Suggestion to consider using focus groups to get a consensus of input on research priorities.

Amendment A5b: Dusky Shark Predraft

- More outreach and education, especially for recreational fishery
- Prohibit ridgeback sharks, possibly with some exceptions (excluding tiger and smoothhounds, or including smoothhounds)
- 89 inch FL shark is big and dangerous to handle. Increasing minimum size may increase mortality on mature sharks.
- Hook limits could work for some, might not for others – specifically limiting the number of gangions onboard
- Using a dehooker for sharks can be dangerous (for fisherman and shark), but cutting the line close to the hook can work
- Consider dusky shark migration patterns and other factors (e.g., phases of the moon) in determining hotspot or closure areas/times; consider international issues
- Fleet communication can work to avoid dusky sharks. Need to develop more specific procedures.
- Consider regional approaches based on where dusky shark mortality is occurring
- Determine the mortality reduction expected for each alternative and fishery and consider measures that get the most bang for the buck

Amendment 6: Shark Fisheries Predraft

- Support for sub-regional quota split locations
- Continued concern about linkages and potential choke species
- Concerns about opening sandbar quota to non-research fishery; preference for improved observer coverage (including electronic monitoring)
- Review landings from historically-active vessels in the sandbar shark fishery (prior to A2)
- Support for permit stacking, but concern about impacts to shark fisheries within state waters

Recreational Updates

- Need more outlets and outreach for recreational landings reporting (e.g., mobile phone app)
- Appreciated MRIP reaching out to industry to review project prior to conducting it
- Would like to know about surveys prior to, so can promote participation on the ground
- Would like survey capability to respond to species/fishery locations throughout the year

Regulatory Comment Period Deadlines & Contacts

April 25th

A6 Shark Fisheries Predraft

(LeAnn.Southward-Hogan@noaa.gov and
Guy.DuBeck@noaa.gov)

April 30th

A5b Dusky Sharks Predraft

(Peter.Cooper@noaa.gov)

May 5th

Bluefin Tuna Specifications (www.regulations.gov)

May 23rd

EFH Information (NMFS.HMSEFH@noaa.gov)

Reminders to AP Members

Please return your
name tags and table tents
to the registration table

Please fill out an **evaluation form** and
return to the registration table

Travel Forms and Receipts are due
Wednesday, April 9th

Return envelopes will be provided for
receipts and signed travel vouchers

